

# News from the FPPC

California Fair Political Practices Commission  
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## FPPC Enforcement Decisions: October 24, 2006

The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held in Sacramento on Tuesday, October 24, 2006. Decisions are divided by category and include a brief summary of each case and the total amount of the administrative fine or fines in each case.

Additional information on each of the enforcement cases below can be found in the October agenda on the FPPC website at <http://www.fppc.ca.gov>. FPPC agendas are distributed and posted on the agency website 10 days prior to each monthly meeting.

The web version of the agenda includes links to the stipulations agreed to by the commission and by the individuals and organizations subject to the fines, or the default decisions ordered by the commission. Exhibits in support of the stipulations and default decisions are also available on the website. If you are unable to access the FPPC website, or need further assistance, please call the FPPC communications office at (916) 322-7761.

### **Campaign Money Laundering Violations**

**In the Matter of Allen Chan, FPPC No. 04/019.** Staff: Senior Commission Counsel Melodee A. Mathay and Investigator III Sandra Buckner. Respondent Allen Chan, a licensed chiropractor and the co-owner of a restaurant in San Diego, was the true source of nine campaign contributions, totaling \$2,250, made to the campaign committee of Chula Vista City Council candidate Dan Hom on September 26, 2003. The contributions were made in the names of employees of Respondent Chan, or their relatives, in violation of Government Code section 84301 (9 counts). \$36,000 fine.

### **Mass Mailing Violation**

**In the Matter of Chino Valley Unified School District, FPPC No. 06/461.** Staff: Commission Counsel Tom Dyer. Respondent Chino Valley Unified School District violated the Political Reform Act by sending a mass mailing, dated June 1, 2006, at public expense to residents, which was signed by five elected Board of Education members, in violation of Government Code section 89001 (1 count). \$3,500 fine.

### **Campaign Reporting and Campaign Recordkeeping Violations**

**In the Matter of Planned Parenthood Advocates Mar Monte, and Ann Harrington, FPPC No. 06/081.** Staff: Senior Commission Counsel Melodee A. Mathay and Investigator Catherine Gallardo. Respondent Planned Parenthood Advocates Mar Monte ("Planned Parenthood") was a state general purpose recipient committee located in Sacramento, and Respondent Ann Harrington was the committee's treasurer. During the audit reporting period from January 1, 2001 through December 31, 2002, Respondents failed to properly maintain campaign records, in violation of Government Code section 84104 (1 count), and failed to properly report expenditures on campaign statements that were filed, in violation of Government Code section 84211, subdivision (k), (2 counts). \$7,500 fine.

**In the Matter of Armando Rea, California Citizens for Good Government, and Sylvia Herron, FPPC No. 02/426.** Staff: Commission Counsel Amanda Saxton and Investigator III Sandra Buckner. Respondent Armando Rea was a Lynwood City Councilman who unsuccessfully ran for re-election in 2001. Respondent California Citizens for Good Government was his controlled committee, and Respondent Sylvia Herron served as treasurer. Respondents failed to file a pre-election campaign statement, in violation of Government Code section 84200.5, subdivision (c) (2 counts), and failed to disclose three late contributions in properly filed late contribution reports, in violation of Government Code section 84203, subdivisions (a) and (b) (1 count). \$9,500 fine.

**In the Matter of Jeffrey E. Stone and Committee to Elect Jeff Stone —66th Assembly District, FPPC No. 02/1065.** Staff: Commission Counsel Tom Dyer. Respondent Stone was an unsuccessful candidate for the California State Assembly, 66th District in the March 7, 2000 primary election. Respondent Committee was a controlled committee of Respondent Stone. Respondents failed to maintain detailed accounts, records, bills and receipts that were necessary to prepare an odd-year pre-election campaign statement for the reporting period July 1, 1999 through September 30, 1999, filed on or about October 12, 1999, in violation of section 84104 (1 count). \$2,000 fine.

**In the Matter of California State Employees Association Membership Action Committee, sponsored by California State Employees Association; Barbara Glass; and Christy Christensen, FPPC No. 05/305.** Staff: Commission Counsel Margaret E. Figeroid and Investigator Elaine Olmos-Flores. Respondent California State Employees Association Membership Action Committee, sponsored by California State Employees Association, is a state general purpose committee. Respondent Barbara Glass and

Respondent Christy Christensen served as its treasurers. In this matter, Respondents Committee and Barbara Glass violated the Political Reform Act by failing to properly itemize a contribution of \$100 or more made to an elected officer, in violation of section 84211, subdivision (k)(5) of the Government Code (1 count), and by failing to timely disclose contributions received, in violation of section 84211, subdivisions (a), (c), and (f) of the Government Code (1 count). Respondents Committee and Christy Christensen violated the Political Reform Act by failing to timely file late contribution reports, in violation of section 84203 of the Government Code (4 counts), and failing to timely disclose accrued expenses, in violation of section 84211, subdivisions (i) and (k) of the Government Code (1 count). \$19,500 fine.

### **Major Donor Reporting Violations**

**In the Matter of Barwest, LLC, FPPC No. 05/548.** Staff: Chief of Enforcement Bill Williams and Political Reform Consultant Wayne Imberi. Respondent Barwest, LLC qualified as a major donor committee in the second six months of 2004. Respondent failed to file to timely disclose a late contribution in a late contribution report, in violation of section 84203, subdivision (a) of the Government Code (1 count); and failed to timely file a semi-annual campaign statement, in violation of section 84200, subdivision (b) of the Government Code (1 count). \$6,500 fine.

### **Major Donor – Streamlined Program**

**Failure to Timely File Major Donor Campaign Statements.** Staff: Chief Investigator Sue Straine and Political Reform Consultant Mary Ann Kvasager. The following persons and entities have entered into a stipulation for failing to file major donor campaign statements that were due during calendar years 2004 and 2005, in violation of Government Code Section 84200:

- **In the Matter of Didar Singh Bains, FPPC No. 06-0422.** Didar Singh Bains of Yuba City failed to timely file a semi-annual campaign statement disclosing contributions totaling \$10,000.00 in 2004 (1 count). \$800 fine.
- **In the Matter of Womar, Inc., FPPC No. 06-0537.** Womar, Inc. of Pleasanton failed to timely file semi-annual campaign statements disclosing contributions totaling \$13,500.00 in 2004 (2 counts). \$1,600 fine.
- **In the Matter of Singler-Ernster, Inc. dba Round Table Pizza, FPPC No. 06-0556.** Singler-Ernster, Inc. dba Round Table Pizza of Sebastopol failed to timely file a semi-annual campaign statement disclosing contributions totaling \$31,000.00 in 2004 (1 count). \$400 fine.
- **In the Matter of Lawrence S. Bond, Bond Companies, FPPC No. 06-0610.** Lawrence S. Bond, Bond Companies of Santa Monica failed to timely file semi-annual campaign statements disclosing contributions totaling \$24,800.00 in 2004 and \$24,100.00 in 2005 (3 counts). \$1,391 fine.

- **In the Matter of Dry Creek Rancheria, FPPC No. 06-0611.** Dry Creek Rancheria of Geyserville failed to timely file a semi-annual campaign statement disclosing contributions totaling \$100,000.00 in 2004 (1 count). \$1,800 fine.
- **In the Matter of Prime Time International, LLC, FPPC No. 06-0612.** Prime Time International, LLC of Coachella failed to timely file a semi-annual campaign statement disclosing contributions totaling \$10,000.00 in 2004 (1 count). \$400 fine.
- **In the Matter of Michael Smith, FPPC No. 06-0613.** Michael Smith of Los Angeles failed to timely file a semi-annual campaign statement disclosing contributions totaling \$10,000.00 in 2004 (1 count). \$400 fine.
- **In the Matter of Peter Sperling, FPPC No. 06-0614.** Peter Sperling of Phoenix, Arizona failed to timely file a semi-annual campaign statement disclosing contributions totaling \$20,000.00 in 2004 (1 count). \$800 fine.
- **In the Matter of Citrus Motors Ontario, Inc., FPPC No. 06-0623.** Citrus Motors Ontario, Inc. of Ontario failed to timely file a semi-annual campaign statement disclosing contributions totaling \$10,000.00 in 2004 (1 count). \$800 fine.
- **In the Matter of Provident Credit Union, FPPC No. 06-0624.** Provident Credit Union of Redwood City failed to timely file semi-annual campaign statements disclosing contributions totaling \$17,900.00 in 2004 and \$17,200.00 in 2005 (4 counts). \$1,600 fine.
- **In the Matter of Sbarro, Inc., FPPC No. 06-0625.** Sbarro, Inc. of Melville, Nevada failed to timely file a semi-annual campaign statement disclosing contributions totaling \$20,000.00 in 2004 (1 count). \$800 fine.
- **In the Matter of Lazard Asset Management LLC, FPPC No. 06-0626.** Lazard Asset Management LLC of New York, New York failed to timely file a semi-annual campaign statement disclosing contributions totaling \$10,000.00 in 2004 (1 count). \$800 fine.
- **In the Matter of Ledesma & Meyer Construction Co., Inc., FPPC No. 06-0630.** Ledesma & Meyer Construction Co., Inc. of Rancho Cucamonga failed to timely file semi-annual campaign statements disclosing contributions totaling \$23,200.00 in 2004 (2 counts). \$1,600 fine.
- **In the Matter of Indian Hill Management, Inc., FPPC No. 06-0647.** Indian Hill Management, Inc. of Upland failed to timely file a semi-annual campaign statement disclosing contributions totaling \$17,500.00 in 2004 (1 count). \$400 fine.

- **In the Matter of Physicians' Choice, FPPC No. 06-0648.** Physicians' Choice of Woodland Hills failed to timely file a semi-annual campaign statement disclosing contributions totaling \$10,000.00 in 2004 (1 count). \$800 fine.

### **Statements of Economic Interest Violations**

**In the Matter of Ronald J. Martin, FPPC No. 05/682.** Staff: Political Reform Consultant Jeanette Turvill. Ronald J. Martin, Consultant to Keenan & Associates, (contract claims administrator to a variety of public agencies) failed to timely file a 2004 annual statement of economic interests in violation of Government Code section 87300 (1 count). \$100 fine.

**In the Matter of Marc Shishido, FPPC No. 06/483.** Staff: Political Reform Consultant Jeanette Turvill. Marc Shishido, a member of the City of Tracy Planning Commission, failed to timely file a 2005 annual statement of economic interests in violation of Government Code section 87203 (1 count). \$100 fine.

**In the Matter of Gregory Kirkpatrick, FPPC No. 06/484.** Staff: Political Reform Consultant Jeanette Turvill. Gregory Kirkpatrick, the Vice-Mayor of the City of Visalia, failed to timely file a 2005 annual statement of economic interests in violation of Government Code section 87203 (1 count). \$100 fine.

**In the Matter of Shannon Lawrence, FPPC No. 06/201.** Staff: Political Reform Consultant Wayne Imberi. Shannon Lawrence, a member of the City of Gardena Planning Commission, failed to timely file an assuming office statement of economic interests in violation of Government Code section 87202 (1 count). \$100 fine.

**In the Matter of Elizabeth Kiley, FPPC No. 06/040.** Staff: Political Reform Consultant Wayne Imberi. Elizabeth Kiley, a consultant to the City of Westminster, failed to timely file an assuming office statement of economic interests in violation of 87300 (1 count). \$100 fine.

### **Administrative Law Judge Proposed Decision**

**James F. Battin, Jr., Friends of Jim Battin, Taxfighters for Jim Battin, Ravelle Lyn Greene, and James W. Trimble., FPPC No. 04/314.** Staff: Enforcement Division Chief William L. Williams, Jr. and Accounting Specialist Luz Bonetti. Respondent James F. Battin, Jr., is currently a member of the State Senate, having served in that capacity since 2001. In this matter, it was alleged that between April 2, 2001 and November 2, 2004, Respondent James F. Battin failed to file a statement of intention to become a candidate, in violation of section 85200 of the Government Code (1 count), and that the various Respondents committed 58 additional counts of violating the campaign disclosure and contribution limits provisions of the Act, all resulting from the failure to timely file a statement of intention to become a candidate. The Administrative Law Judge issued a

proposed decision dismissing the accusation. The Enforcement Division did not submit an opening brief and did not take a position on the adoption of the proposed decision. Respondents submitted a letter recommending that the Commission adopt the proposed decision. The Commission held public discussion and then considered the matter in closed session. The Commission returned to public session to announce that it had adopted the proposed decision of the administrative law judge in its entirety, thereby dismissing the accusation.

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